

**MAR 16 2006**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

CARL GORDON, JR.,

Plaintiff - Appellant,

v.

DOWNS; et al.,

Defendants - Appellees.

No. 05-55448

D.C. No. CV-04-02957-MMM

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the Central District of California  
Margaret M. Morrow, District Judge, Presiding

Submitted March 8, 2006<sup>\*\*</sup>

Before: CANBY, BEEZER, and KOZINSKI, Circuit Judges.

Carl Gordon, Jr., a California state prisoner, appeals pro se from the district court's judgment dismissing his 42 U.S.C. § 1983 action alleging violation of his due process rights. We have jurisdiction under 28 U.S.C. § 1291. We review de

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<sup>\*</sup> This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

novo the district court's dismissal for failure to state a claim under the screening provisions of 28 U.S.C. § 1915A, *Resnick v. Hayes*, 213 F.3d 443, 447 (9th Cir. 2000), and we affirm.

The district court properly dismissed Gordon's due process claim as there is no evidence that the prison officials' failure to conduct a disciplinary hearing prior to suspending his visitation rights "impose[d] atypical and significant hardship on [Gordon] in relation to the ordinary incidents of prison life." *Sandin v. Conner*, 515 U.S. 472, 483-84 (1995).

The district court did not abuse its discretion in declining to exercise supplemental jurisdiction over Gordon's remaining state law claims after all Gordon's federal claims were dismissed. *See* 28 U.S.C. § 1367(c); *United Mine Workers of America v. Gibbs*, 383 U.S. 715, 726 (1966).

**AFFIRMED.**